

CHAPTER IV.

**ADMINISTRATIVE AND MISCELLANEOUS ORDERS
OF GOVERNMENT.**

I. POWERS.

386. Some of the powers of a Conservator may be delegated by the Local Government to any selected officer in charge of a Forest Division. Conservators are authorized to delegate the powers described below to all Deputy or Extra-Deputy Conservators of not less than 10 years' service and on the recommendation of Conservators and Commissioners in exceptional cases to Deputy or Extra-Deputy Conservators of between 7 and 10 years' service.

Delegation of powers to
selected officers.

A Conservator should not hesitate to withdraw powers which have been delegated, however disagreeable it may be to do so, when he finds that they have been exercised with bad judgment or to inform any officer with whose judgment and abilities he is unacquainted or about which he is not satisfied from his previous records that for a time he considers it advisable to withhold delegation of all or any of the delegated powers.*

1. Power to sanction the distribution of rewards to informers and detectives of forest offences when more than one person are concerned.
2. Power to authorize contractors and others to issue passes for the removal of timber or other forest produce.
3. Power to grant privilege leave to subordinates below the rank of Ranger on entertaining a substitute.
4. Power to sanction the retention of Forest Guards in service after they have completed the age of 55 years (Article 462 (a) (1) of the Civil Service Regulations).
5. Power to obtain cheque books direct from the Accountant General (Article 200 of the Forest Department Code).
6. Power to conduct sales without reference to Conservator as regards reserved prices when they are fixed by or under the orders of the Deputy Conservator and when the total estimated amount of sale does not exceed Rs. 5,000.
- X 7. Power to transfer Rangers and Foresters within the limits of the division (Article 66 of the Forest Department Code).
8. Power to make free grants of forest produce up to a limit of Rs. 100 in any one case (Article 109 (ii) of the Forest Department Code).
9. Power to write off the value of stores, tools and plant, live-stock, timber or other stock up to a limit of Rs. 250 (Article 113 (i) of the Forest Department Code).

* Government Resolution No. 7324, dated 25th July 1907.

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10. Power to authorize an advance of one month's pay (up to a maximum of Rs. 50 in each case) to any non-gazetted officer on the permanent establishment serving under the Divisional Officer's orders who can shew sufficient reason for requiring it (Article 155 (i) of the Forest Department Code).
11. Power to retain a Pleader and to sanction expenditure on Pleader's fees (up to a limit of Rs. 100 in each case) in the prosecution of criminal offences, subject to the condition that the officer to whom this power is delegated should inform the Conservator of his proceedings (Articles 157 and 247 of the Forest Department Code).
12. Power to sanction all usual payments on account of items of ordinary expenditure (as defined in Article 134 of the Forest Department Code), provided the Budget allotments are in no case exceeded (Article 158 of the Forest Department Code).
13. Power to make refunds of revenue up to a limit of Rs. 200 in each case (Article 168 of the Forest Department Code).
14. Power to authorize the destruction of useless records (Article 251 (v) of the Forest Department Code).
15. Power to give a lease for the collection of forest produce up to a value of Rs. 2,000 subject to the condition that the operation has been duly approved of in the annual plan of operations.
16. Power to make contracts up to a value of Rs. 2,000 subject to the condition that the rates have been sanctioned by the Conservator.

386a. His Excellency the Governor in Council is pleased, under the provision of section 66 of the Forest Department Code (sixth edition), to delegate to the Conservators of Forests, Central, Northern, Southern and Sind Circles, the power to sanction all transfers within their respective Circles of permanent protective establishments, including* Extra-Assistant Conservators of Forests.†

Powers of Conservators and Divisional Forest Officers to promote Guards to the Rs. 15 grade.

387. Promotion to the grade of Rs. 15 of Forest Guards will be made by Divisional Forest Officers. Direct appointment to that grade will be made by Conservators only.

Powers of Conservators to sign agreements of stipendiary students proceeding to Dehra Dun.

388. The Conservator or Deputy Conservator of Forests in charge of the Circle, who nominates the candidate for the Dehra Dun College, should be authorized to sign the agreement prescribed for such candidates.‡

* Government Resolution No. 6051, dated 24th August 1886.

† Government Resolution No. 2021, dated 17th March 1893.

‡ Government Resolution No. 3964, dated 18th June 1903.

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Conservators' power to sanction temporary establishment.

389. Conservators have the power to sanction the requisite temporary establishment within Budget limits without further reference to Government.*

NOTE.—For maximum pay admissible for temporary establishment read section 64, Chapter I, Standing Orders, Forests.

390. Divisional Forest Officers have the power to grant privilege leave when no extra expense is involved and no substitute required to Protective and Office establishment.†

Powers of Divisional Forest Officers to grant privilege leave.

391. The Conservator of Forests, Southern Circle, is authorized to transfer his depôts from one town to another as he finds convenient and more paying to his Department, so long as he does not transfer the permanent establishment sanctioned for one Collectorate to another, or by his arrangements involve any further cost than that allowed.‡

Conservator, Southern Circle, has power to transfer depôts.

NOTE.—Government Resolution, Judicial Department, dated 23rd February 1886, gave a general sanction to all charges that might be incurred on account of rent of lands taken up for Forest depôts in accordance with these orders.

392. Divisional Forest Officers have the power to reprimand, or exact additional work from, or suspend any member of the office establishment serving under them. They may also enter misdemeanours in service books; and submit for the Conservator's orders any cases which, in their opinion, justify postponement of increment of pay, stoppage of promotion, reduction of existing pay, or dismissal from the service of Government.§

Powers of Divisional Forest Officers to punish their clerical establishment.

392a. As the Deputy Conservator of Forests in charge of one of the four Forest Circles in this Presidency is recognized as a Conservator for administrative purposes, the Governor in Council is pleased to allow him to exercise all the powers delegated to "Conservators." ||

Delegation of powers of Conservator to the Deputy Conservator in charge of Sind Circle.

393. Conservators and Deputy Conservators of Circles are authorized to transfer clerical staff from one Division to another in their respective Circles irrespective of the pay cadre of the Division. ¶

Conservators and Deputy Conservators may transfer clerks.

A monthly distribution statement of the clerical establishment in the Circle must be forwarded to the Accountant General.

The power to interchange appointments does not extend to the Conservators' own offices. ¶

* Government Resolutions No. 2045, dated 15th March 1904; and No. 5181, dated 7th July 1904.

† Government Resolution No. 21, dated 6th January 1903.

‡ Government Resolution No. 2307, dated 23rd April 1873.

§ Article 71, Forest Code, sixth edition.

|| Government Resolution No. 6597, dated 10th July 1906.

¶ Government Resolution No. 11709, dated 28th November 1907.

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394. Conservators of Forests may purchase for their own use or for the use of the officers subordinate to them books and newspapers or other periodical publications, subject to the limitations (1) that the total cost of the purchases made shall not exceed Rs. 50 a year and (2) that the cost of any one book or periodical shall not be more than Rs. 10.*

395. In the case of non-gazetted officers generally a pension which is certified by the responsible Audit officer to be clearly admissible under rule, may be sanctioned by Heads of Offices who have authority to fill the appointment vacated by the retiring officer.

Cases in which any reduction of pension is proposed or which involve any unusual features, or in which any part of a pension is to be paid by a Native State, should be submitted to Government for disposal.†

In all cases in which they are empowered to sanction pensions, Conservators may sanction condonation of breaks and deficiencies in service within the following limits: breaks up to two months under Article 422 (i) and six months under Article 422 (ii) of the Civil Service Regulations and in the case of deficiencies up to two months in cases of provincial charges under Article 423, Civil service Regulations.‡

Divisional Forest Officers may sanction travelling allowances.

396. Divisional Forest Officers are authorised to sanction travelling allowances to inferior Forest servants transferred within their respective Divisions.§

Conservators may grant one month's privilege leave.

396a. 1. Conservators of Forests are empowered to grant privilege leave of absence for any period not exceeding one month to officers under their orders who are appointed by Government.

2. If the officer who applies for such leave be a gazetted officer, a report should be obtained from the Accountant General on the title of the applicant to the leave applied for before it is granted, and the grant of leave should be reported to Government.

3. The power conferred by these orders should be exercised only in cases where no substitute is required or where the officer granting the leave is able of his own authority to appoint a substitute without reference to Government.||

Conservators may sanction renting office accommodation.

396b. Heads of Departments may sanction the renting of ordinary office accommodation within the following limits :—

* Government Resolution, Forest Department, No. 538, dated 30th January 1908.

† Government Resolution, Financial Department, No. 2800, dated 1st September 1908.

‡ Government Resolution No. 3996, dated 1st October 1908.

§ Government Resolution No. 8713, dated 25th October 1905.

|| Government Resolution, Financial Department, No. 3344, dated 8th September 1909.

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Add the following clause :—

Conservators may delegate to Divisional Forest Officers the power of countersigning on their behalf the travelling allowance bills of the members of the Executive, Protective and Office Establishments serving under them, subject to the proviso that all bills preferred for journeys on transfer should be submitted to Conservators for their countersignature.

Add to the foot-note ' § ' :—

and Government Order, R. D., No. 1304, dated 3rd. February 1916.

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When the accommodation is provided in a separate building...Rs. 100 a month.

When the accommodation is provided in a building partly

used as a private residence One-half the total
rent subject to
a maximum of
Rs. 45 a month.*

Hheads of Offices may
purchases stationery.

369c. Heads of Offices may sanction petty local purchases of stationery and rubber stamps up to a limit of Rs. 20 in each case.†

369d. When they consider themselves justified in so doing either by the course of precedents on their record, or by the general knowledge of the policy of Government, Conservators of Forests may assume the previous sanction of Government in matters concerning

In certain matters Con-
servators may assume sanc-
tion of Government.

- (i) the direction of all professional operations of technical Forestry ;
- (ii) the departmental control of all Forest Officers in the Circle ;
- (iii) departmental finance, appointment, transfer, or leave of establishment, provided such previous sanction is not required by law.‡

396e. Heads of Offices may vary details (namely, the rates of pay of particular posts, the number of hands employed and the period of employment) of any temporary establishment employed under them, subject to the following conditions :—

Control of sanctioned
temporary establishments.

(a) that the cost of a temporary establishment shall not be raised beyond the total amount sanctioned for the establishment by the authority which sanctioned its employment ;

(b) that Rs. 50 be fixed as the maximum limit of pay of any post subject to any special order that may be passed by Government when sanctioning the temporary establishment.§

396f. The Governor in Council is pleased to appoint the Divisional Forest Officer, North Khândesh, to perform the duties of a Collector under the Land Improvement Loans Act XIX of 1883 and for the purposes of the rules under the Agriculturists' Loans Act XII of 1884.||

Divisional Forest Officer,
North Khândesh, invested
with special powers.

* Government Resolution, Financial Department, No. 2075, dated 10th June 1908.

† Government Resolution General Department, No. 3511, dated 12th May 1908.

‡ Government Resolution No. 533, dated 29th January 1908.

§ Government Resolution No. 3049, dated 20th September 1910.

|| Government Resolution, Financial Department, No. 2104, dated 2nd May 1907.

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396g. The Akrani Pargana should be constituted a Mahál. The Range Forest Officer, Akrani, should be appointed *ex officio* Mahálkari, and the Divisional Forest Officer, North Khándesh, should be appointed *ex officio* Assistant Collector and should be invested at the outset with Second Class Magisterial powers.*

Range Forest Officer,
Akraní, is *ex officio* Mahál-
kari.

Conservators may sanc-
tion refunds.

Conservators may sanc-
tion writing off of revenue.

396h. Conservators may sanction refunds of forest revenue up to Rs. 200 in each case.†

396i. Conservators are authorised to sanction the writing off of irrecoverable revenue up to Rs. 500 in each case.‡

II. FUNCTIONS.

Duties of Conservator
and his Assistants.

397. The Conservator and his Assistants ought to pass their time as much as possible in the jungles and not at the desk.§

398. The attention of the Conservators should be drawn to the fact that inspection is one of the most important of their duties. The Conservators are required to inspect each Divisional Forest office in their Circles once in each year. Failure to make the required inspection in any case should be explained in submitting to Government the general inspection report.||

Conservators' duties to
inspect Divisional Forest
offices.

Duties of Conservators
regarding interchange of
vegetable products with the
Colonies.

399. The Conservators of Forests should attend to any application which may be made for an interchange of vegetable productions by the officers in charge of any of His Majesty's Colonies.¶

400. Divisional Forest Officers should, as a rule, reside during the recess season at the head-quarters stations of their districts to facilitate personal communication on forest affairs between themselves, the Collectors and Assistant Collectors.**

Duties of Divisional
Forest Officers in the recess
season.

Head-quarters of Conser-
vator, Northern Circle.

401. The Conservator of Forests, Northern Circle, is permitted to make Bándra his head-quarter.††

* Government Resolution, Revenue Department, No. 12020, dated 24th November 1908.

† Government Resolution No. 773, dated 30th January 1886.

‡ Government Resolution No. 12417, dated 23rd December 1909.

§ Government Resolution No. 3541, dated 21st July 1871.

|| Government Resolution No. 5308, dated 5th August 1891.

¶ Secretary of State's No. 10, dated 15th August 1871, *vide* Government Resolution No. 4847, dated 29th September 1871.

** Government Resolution No. 4063, dated 4th June 1889.

†† Government Resolution No. 3736, dated 22nd May 1893.

Insert the following in its proper place :—

“ 396j. The power of Conservators to grant permission to cut reserved trees in Service Inam lands under section 41 (9c) of the Land Revenue Code is delegated to selected Divisional Forest Officers, subject to the condition that each case should be reported for the information of the Conservator giving details of place, number and price of trees and species.” (Government Resolution No. 5651, dated 16th June 1913, Revenue Department).

“ 396k. Power to re-employ pensioners for a period not exceeding one year in temporary vacancies has been delegated to Conservator of Forests.” (Government Resolution No. 4365, dated 23rd December 1912, Financial Department).

Insert the following in its proper place :—

“ 396/. When the agency of village officers is in future employed in the collection of forest revenue, they shall be remunerated by a deduction from the gross revenue collected at the time it is made over by them to forest officers and at no other time. When, however, the remuneration is payable on account of assistance rendered in connection with the assessment of an item of revenue that is paid into the treasury direct, a refund may be sanctioned by the Conservator of Forests.” (Government Resolution No. 3239, dated 7th April 1913, Revenue Department).

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Insert the following in its proper place :—

"396l. When the agency of village officers is in future employed in the collection of forest revenue, they shall be remunerated by a deduction from the gross revenue collected at the time it is made over by them to forest officers and at no other time. When, however, the remuneration is payable on account of assistance rendered in connection with the assessment of an item of revenue that is paid into the treasury direct, a refund may be sanctioned by the Conservator of Forests." (Government Resolution No. 3239, dated 7th April 1913, Revenue Department).

No. 90.

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For "Bandra" substitute "Nasik."

In the first note †† for '3736 dated 22nd May 1893' substitute 12823, dated 22nd December 1914.